

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (08-00) (modified)  
Approved for use through 9/30/2001, OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>NEW UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(only for new nonprovisional applications under 37 CFR 1.53(b))</i>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Attorney Docket Number</td> <td>23215-07991</td> </tr> <tr> <td>First Named Inventor</td> <td>Scott Alan Van Gundy</td> </tr> <tr> <td>Title</td> <td>Server with Backup Capability for Distributed IP Telephony Systems</td> </tr> <tr> <td>Express Mail Label No.</td> <td>EV 334257763 US</td> </tr> </table>		Attorney Docket Number	23215-07991	First Named Inventor	Scott Alan Van Gundy	Title	Server with Backup Capability for Distributed IP Telephony Systems	Express Mail Label No.	EV 334257763 US
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First Named Inventor	Scott Alan Van Gundy										
Title	Server with Backup Capability for Distributed IP Telephony Systems										
Express Mail Label No.	EV 334257763 US										
<b>APPLICATION ELEMENTS</b>		<b>ACCOMPANYING APPLICATION PARTS</b>									
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)</li> <li>2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</li> <li>3. <input checked="" type="checkbox"/> Specification <span style="float: right;">Total Pages <input type="text" value="17"/></span>  <i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> <li>■ Descriptive Title of the Invention</li> <li>■ Cross Reference(s) to Related Case(s)</li> <li>■ Statement Regarding Fed sponsored R &amp; D</li> <li>■ Background of the Invention</li> <li>■ Brief Summary of the Invention</li> <li>■ Brief Description of the Drawing(s)</li> <li>■ Detailed Description</li> <li>■ Claim or Claims</li> <li>■ Abstract of the Disclosure</li> </ul> </li> <li>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <span style="float: right;">Total Sheets <input type="text" value="4"/></span></li> <li>5. Combined Declaration &amp; Power of Attorney               <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> New Declaration <span style="float: right;">Total Pages <input type="text" value="2"/></span>  <input type="checkbox"/> Executed (original or copy)</li> <li>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))  <i>(for continuation/divisional with Box 18 completed)</i> <ol style="list-style-type: none"> <li>i. <input type="checkbox"/> DELETION OF INVENTOR(S)                    Signed statement attached deleting inventor(s)                    named in the prior application, see 37 CFR                    1.63(d)(2) and 1.33(b).</li> </ol> </li> </ol> </li> <li>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</li> </ol>		<ol style="list-style-type: none"> <li>7. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</li> <li>8. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i></li> <li>9. <input type="checkbox"/> Power of Attorney or Authorization of Agent</li> <li>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement</li> <li>11. <input type="checkbox"/> Preliminary Amendment</li> <li>12. <input type="checkbox"/> Information Disclosure Statement &amp; PTO/SB/08A  <input type="checkbox"/> Copies of IDS Citation(s)</li> <li>13. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122                (b)(2)(B)(i). Applicant must attach form                PTO/SB/35 or its equivalent</li> <li>14. <input checked="" type="checkbox"/> Return Postcard</li> <li>15. <input type="checkbox"/> _____</li> <li>16. <input type="checkbox"/> _____</li> <li>17. <input type="checkbox"/> _____</li> </ol>									
		<b>ADDRESS TO:</b>  <b>Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</b>									
<b>18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:</b> <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP)    of prior application No. _____ Prior application information: Examiner: _____ Group/Art Unit: _____ <b>For CONTINUATION OR DIVISIONAL APPS only:</b> The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.											
<b>19. CORRESPONDENCE ADDRESS</b>											
<input checked="" type="checkbox"/> Customer Number											
Name (Print/Type) <b>Greg T. Szeoka</b>		Registration No. (Attorney/Agent) <b>33,800</b>									
Signature		Date <b>9/24/03</b>									

**FEE TRANSMITTAL**  
**for FY 2003**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 417**Complete if Known**

Application Number	Not Yet Known
Filing Date	September 24, 2003
First Named Inventor	Scott Alan Van Gundy
Examiner Name	Not Yet Known
Art Unit	Not Yet Known
Attorney Docket No.	23215-07991

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account:

Deposit Account Number 19-2555

Deposit Account Name Fenwick &amp; West LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Code (\$)	Code (\$)		
1001 750	2001 375	Utility filing fee	375
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

**SUBTOTAL (1) (\$)** 375**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
15	-20**	0	0
4	-3**	1	42

Multiple Dependent

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	**Reissue independent claims over original patent
1205 18	2205 9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$)** 42

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(g)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(e))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) (\$)** .00

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY**

Name (Print/Type) Greg T. Sueoka

Registration No. 33,800  
(Attorney/Agent)**Complete (if applicable)**

Telephone (650) 335-7194

Signature

Date

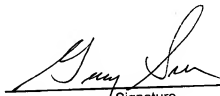
9/24/03

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>		First Named Inventor		Scott Alan Van Gundy
		Title	Server with Backup Capability for Distributed IP Telephony Systems	
		Atty Docket Number	23215-07991	

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

9/24/03

Date

  
Signature

Greg T. Sueoka, Reg. No. 33,800  
Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(p). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.